

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

<b>MARGARET CROW,</b>	)	
	)	
	)	
<b>Plaintiff,</b>	)	<b>2:04-cv-1855</b>
<b>v.</b>	)	
	)	
<b>COUNTY OF WASHINGTON, WASHINGTON</b>	)	
<b>COUNTY CORRECTIONAL FACILITY,</b>	)	
<b>WARDEN JOSEPH PELZER, C.O. (F.N.U.)</b>	)	
<b>HAMPTON, C.O. (F.N.U.) PLUCKETT,</b>	)	
	)	
<b>Defendants.</b>	)	

**MEMORANDUM ORDER**

Plaintiff's above captioned complaint was removed to this Court from the Court of Common Pleas of Washington County, Pennsylvania, on December 6, 2004, and was referred to United States Magistrate Judge Lisa Pupo Lenihan for Pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation (Document No. 15), filed on September 21, 2005, recommended that Defendants' Motion to Dismiss (Document No. 11) be granted. Service was made on all counsel of record. Plaintiff filed Objections to the Report and Recommendation (Document No. 16) on October 7, 2005; Defendants did not respond thereto. The Court finds the objections to be without merit. After review of the pleadings and documents in the case, together with the Report and Recommendation and the objections thereto, the following Order is entered:

AND NOW, this 9<sup>th</sup> day of November, 2005;

It is hereby **ORDERED** that Defendants' Motion to Dismiss (Document No. 11) is **GRANTED**.

It is also **ORDERED** that the action is **DISMISSED**.

It is further **ORDERED** that the Report and Recommendation (Document No. 15) of Magistrate Judge Lenihan, dated September 20, 2005, is adopted as the Opinion of the Court.

BY THE COURT:

s/ Terrence F. McVerry  
United States District Court Judge

cc: Peter M. Suwak, Esquire  
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Lisa Pupo Lenihan  
United States Magistrate Judge